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April 14, 2008

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Re: **Bhatnagar, Abhinav v. Jason Ingrassia, et al.**

Dear Ms. Huang and Mr. Candappa:

In reviewing Plaintiff's recently filed reply brief in support of Plaintiff's motion in limine, Plaintiff **incorrectly** makes an argument that Defendant Ingrassia's opposition was untimely (Reply Brief, fn. 1). Plaintiff is clearly mistaken. Immediately following the last case management conference with Judge Breyer on February 15th, myself, Ms. Huang and Mr. Harvey set a briefing schedule in this matter in the hallway outside of Judge Breyer's courtroom. You will recall that Judge Breyer stated that the parties may agree essentially to any briefing schedule. In that vein, the following schedule was agreed upon:

Plaintiff's Motion to Be Filed By	March 14 th
Defendants' Oppositions Filed By	April 11 th
Plaintiff's Reply Brief Filed By	April 18 th
Hearing on Motion in Limine	April 25 th

Attached is a copy of an e-mail that I sent to my secretary confirming this briefing schedule. I also vividly remember setting the above schedule as Defendants allowed Plaintiff

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Ms. Jenny C. Huang
Jivaka Candappa, Esq.
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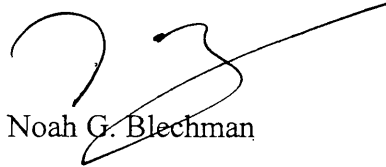
Re: Bhatnagar, Abhinav v. Jason Ingrassia, et al.

approximately 30 days to file her motion and we expected and received approximately 30 days to file our opposition. My notes from the hallway that day also reflect this briefing schedule. Defendants did not agree to a three week deadline to file our oppositions, but the agreement was essentially four weeks, the same period given to Plaintiff to file his motion papers.

Defendant Ingrassia filed his opposition timely on April 11th. Perhaps Plaintiff confused the fact that Mr. Harvey filed his opposition brief on April 4th, one week ahead of schedule, with the actual deadline of April 11th. Though we concede that the schedule agreed to above did not fully comply with the local rules for filing deadlines for motions, Judge Breyer allowed the parties to agree on such a schedule, which was the agreed upon schedule by all parties, and no changes to this schedule were made by the agreement of all parties. As such, we fully expect Plaintiff to withdraw his untimeliness argument with regard to Defendant Ingrassia's opposition.

Should you have any questions, please do not hesitate to contact the undersigned, or James V. Fitzgerald, III, the lead trial attorney on this matter.

Very truly yours,

A handwritten signature in black ink, appearing to be "Noah G. Blechman", written over a horizontal line.

Noah G. Blechman

NGB:ssa

Encl.

cc: Greg Harvey, Esq. (w/encl.)

Noah Blechman

From: Noah Blechman
Sent: Friday, February 22, 2008 11:26 AM
To: Sabrina Ahia
Cc: James Fitzgerald
Subject: Bhatnagar

This is the briefing schedule on Plaintiff's motion to admit ev. of prior court findings vs. Ingrassia in this civil action:

Plaintiff's to file motion by	March 14, 2008
Defendants opposition filed by	April 11 th , 2008
Plaintiff's reply due filed by	April 18 th , 2008
Hearing on Motion	April 25 th , 10 am with J. Breyer.

Please calendar. Thanks. NB

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